

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MATTHEW G. SILVA,) CASE NO. C04-1885-JLR-MAT
Plaintiff,)
v.)
LARRY MAYES, et al.,) ORDER GRANTING DEFENDANT
Defendants.) KING COUNTY'S MOTION TO
) EXTEND TIME FOR
) SUPPLEMENTAL BRIEFING

Defendant King County has filed a motion to extend by one week the time for filing supplemental briefing. Given the relatively short length of time requested for the extension, the court hereby GRANTS defendant King County's request without further input from the parties. Defendants' supplemental brief shall be due by November 7, 2005 (maximum length is 10 pages), and plaintiff's reply brief shall be due by November 14, 2005 (maximum length is 5 pages). Defendants' motion for summary judgment and dismissal (Dkt. 137) and plaintiff's motion for partial summary judgment (Dkt. 81) are hereby RENOTED for consideration on **November 14, 2005** (the parties should note that the preceding Friday, November 11, is a court holiday). The date by which a joint pretrial statement is to be filed remains unchanged. The parties are reminded to review this court's order of August 31, 2005 (Dkt. 196) concerning the specific issues which

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01 are to be addressed in their respective briefings.

02 Finally, the failure of both parties throughout the duration of this case to follow the court's
 03 Local Rules concerning motion practice (primarily LR 7) has been a needless source of confusion
 04 and contention. Defendants' counsel is reminded that any motions or other pleadings must be filed
 05 in accordance with this court's Local Rules. The recent motion to continue is deficient in three
 06 significant respects: 1) defendants failed to include within the caption a noting date, as required
 07 by Local Rule CR 7(b)(1); 2) defendants failed to note the motion on the court's electronic
 08 docketing system (CM/ECF)¹ at the time of filing; and, 3) defendants did not provide a proposed,
 09 unsigned order for the court's signature [LR 7(b)(1) and pages 11 and 12 of the Public Notice
 10 regarding Electronic Filing Procedure (March 2004), found at the court's website:
 11 <http://www.wawd.uscourts.gov>]. Counsel is further reminded of the particular importance of the
 12 last sentence of LR 7(d)(2), which requires that most non-dispositive motions be noted for 3
 13 Fridays from the date of filing whenever one of the parties is incarcerated.

14 Defendants' counsel is advised that future filings in this or any other case which fail to
 15 follow the applicable local rules may be stricken from consideration, pending refiling of a corrected
 16 version.

17 DATED this 3rd day of November, 2005.

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 19 _____
 20 Mary Alice Theiler
 21 United States Magistrate Judge

22 ¹ Defendants' counsel should contact the CM/ECF helpdesk at (206) 370-8440 with any
 23 questions pertaining to the correct method for filing and noting motions.